

The Honorable Tana Lin
United States District Judge

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT A. BENSHOOF, and BRIANA D. GAGE,)

Plaintiffs,)

v.)

CITY OF SHORELINE, KING COUNTY,)
TOWN & COUNTRY MARKETS, EVAN B.)
FAGAN, WILLIAM C. AKERS and MR.)
THOMPSON,)

Defendants.)

No. 2:24-cv-00343-TL

SUPPLEMENTAL DECLARATION
OF ANN SUMMERS IN SUPPORT
OF KING COUNTY DEFENDANTS'
MOTION TO REVOKE
PLAINTIFFS' IFP STATUS

I, Ann Summers, declare as follows:

1. I am over the age of 18 and I am competent to testify as to the matters stated herein. I represent the City of Shoreline, King County, Deputy Akers and Detective Thompson in this case.
2. Attached as Exhibits F¹ is a true and correct copy of the Information, Prosecuting Attorney Case Summary and Request for Bail, and Certification for Determination of Probable Cause filed in the King County Superior Court in *State v. Kurt Benshoof*, No.

¹ Exhibits A-E were attached to the Declaration of Ann Summers in Support of King County Defendants' Motion to Revoke Plaintiffs' IFP Status. Dkt. 30.

24-1-02680-7 SEA, on July 8, 2024. In that criminal matter, Plaintiff Benshoof has been charged with felony stalking and two counts of attempting to elude a pursuing police vehicle. The Certification for Determination of Probable Cause reflects that on July 3, 2024, Seattle Police executed a search warrant for Benshoof and his residence. While searching the residence for evidence of stalking, officers found a highly sophisticated indoor marijuana grow operation that officers estimated would hold approximately 150 plants. Benshoof did not report income from marijuana sales in his application for IFP status.

3. According to the King County Department of Adult Detention's "Subject Lookup Tool" located at <https://dajd-jms.powerappsportals.us/public/subject-lookup/> as of today's date Benshoof is currently in jail and awaiting trial in Seattle Municipal Court in five separate criminal cases in addition to the felony charges filed in King County Cause No. 24-1-02680-7 SEA.

4. According to the King County Superior Court docket in 24-1-02680-7 SEA, Benshoof's arraignment is scheduled for July 16, 2024.

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct.

Signed this 16th day of July, 2024 at Seattle, Washington.



ANN M. SUMMERS

Exhibit F

FILED
 2024 JUL 08 03:15 PM
 KING COUNTY
 SUPERIOR COURT CLERK
 E-FILED
 CASE #: 24-1-02680-7 SEA

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
Plaintiff,)	
v.)	No. 24-1-02680-7 SEA
)	
KURT ALDEN BENSHOOF,)	INFORMATION
)	
Defendant.)	
)	

I, Leesa Manion, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse KURT ALDEN BENSHOOF of the following crime[s], which are of the same or similar character, and which are based on the same conduct or a series of acts connected together or constituting parts of a common scheme or plan: **Felony Stalking, Attempting To Elude A Pursuing Police Vehicle, Attempting To Elude A Pursuing Police Vehicle**, committed as follows:

Count 1 Felony Stalking

That the defendant KURT ALDEN BENSHOOF in King County, Washington, at a time intervening from March 14, 2023 to July 3, 2024, without lawful authority, (1)(a) did intentionally and repeatedly harass Jessica Rae Owen; and (b) did intentionally and repeatedly follow Jessica Rae Owen; and (c) did intentionally contact, follow, track, monitor, or attempt to contact, follow, track, or monitor Jessica Rae Owen after being given actual notice that Jessica Rae Owen did not want to be contacted, followed, tracked, or monitored; and (d) did knowingly and without consent install or monitor an electronic tracking device, or cause an electronic tracking device to be installed, placed, or used, to track the location of Jessica Rae Owen; and Jessica Rae Owen (2)(a) suffered substantial emotional distress or (2)(b) was placed in fear that the defendant intended to injure her, or another person, or property of Jessica Rae Owen, or property of another person; and that substantial emotional distress and/or fear was one that a reasonable person in the same situation would experience given the totality of circumstances; or (2)(c) where the defendant knowingly and without consent installed or monitored an electronic tracking device, or caused an electronic tracking device to be installed, placed, or used, to track the location of the victim, the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear; and (3)(a) the stalking violated any protective order protecting Jessica Rae Owen;

INFORMATION - 1

Leesa Manion (she/her)
 Prosecuting Attorney
 W554 King County Courthouse
 516 Third Avenue
 Seattle, WA 98104-2385
 (206) 477-3742 FAX (206) 205-6104

Contrary to RCW 9A.46.110(1), (5)(b), and against the peace and dignity of the State of Washington.

And further do allege the crime involves the following aggravating factor and accuse the defendant, Kurt Alden Benshoof of committing said offense involving stalking, as defined in RCW 9A.46.110, (1) within sight or sound of the victim's or the offender's minor child under the age of eighteen years; and (2) that the offense was part of an ongoing pattern of psychological, physical or sexual abuse of the same victim or multiple victims manifested by multiple incidents over a prolonged period of time; and (3) that the defendant's conduct during the commission of said offense manifested deliberate cruelty or intimidation of the victim; this allegation is under the authority of RCW 9.94A.535(3)(h).

And further do allege the crime involves the following aggravating factor and accuse the defendant, Kurt Alden Benshoof, of committing said offense involving domestic violence, as defined in RCW 10.99.020, and the offense was part of an ongoing pattern of psychological, physical or sexual abuse of the same victim or multiple victims manifested by multiple incidents over a prolonged period of time; this allegation is under the authority of RCW 9.94A.535(3)(h)(i).

And further do accuse the defendant, Kurt Alden Benshoof, at said time of committing the above crime against an intimate partner as defined in RCW 10.99.020, which is a crime of domestic violence as defined in RCW 10.99.020.

Count 2 Attempting To Elude A Pursuing Police Vehicle

That the defendant KURT ALDEN BENSHOOF in King County, Washington, on or about April 27, 2023, while driving a motor vehicle and having been given a visual and audible signal by a uniformed police officer to bring the vehicle to a stop, willfully failed and refused to immediately stop and drove the vehicle in a reckless manner while attempting to elude a pursuing police vehicle that was equipped with lights and sirens;

Contrary to RCW 46.61.024, and against the peace and dignity of the State of Washington.

Count 3 Attempting To Elude A Pursuing Police Vehicle

That the defendant KURT ALDEN BENSHOOF in King County, Washington, on or about August 23, 2023, while driving a motor vehicle and having been given a visual and audible signal by a uniformed police officer to bring the vehicle to a stop, willfully failed and refused to immediately stop and drove the vehicle in a reckless manner while attempting to elude a pursuing police vehicle that was equipped with lights and sirens;

Contrary to RCW 46.61.024, and against the peace and dignity of the State of Washington.

LEESA MANION (she/her)
Prosecuting Attorney

By:

A handwritten signature in black ink, appearing to read "David D. Martin", written over a horizontal line.

David D. Martin, WSBA #27129
Senior Deputy Prosecuting Attorney

CAUSE NO. 24-1-02680-7 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Officer Ryan G Ellis of the Seattle Police Department for case number 2024-163058.

The State requests bail set in the amount of \$500,000.00, and a no contact order with the victim.

If the defendant posts bail, he should be placed on electronic home detention with GPS monitoring. The defendant will interfere in the administration of justice in this case, and he will not follow court orders. The defendant has engaged in a significant and unrelenting campaign of harassment of the victim over many months despite no contact orders and multiple warrants from Seattle Municipal Court. The defendant is also non-compliant with police efforts to stop and arrest him, eluding police on multiple occasions, and then engaging in a standoff with police before his arrest on a warrant.

The defendant has contacted the victim hundreds of times in violation of civil and criminal no contact orders, per the Certification "During the past year, Benshoof has violated the order approximately 1000 plus times, and will continue to do so." His behavior is erratic and extreme. The victim first petitioned for a DVPO for her and her son in early fall of 2021, and the family court issued increasingly restrictive contact on the defendant, the court completely barred Benshoof from any contact with his son or victim in Oct. 2022. Non-stop violations of court order and harassment followed, leading to the victim fleeing the area.

Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 1

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2 The defendant has multiple outstanding cases involving the same victim as the instant
3 offense. He is pending in Seattle Municipal Court under case 676492 from January 1, 2023, for
4 16 counts of violation of no contact order with the victim; case 676463 from December 25, 2022,
5 for 30 counts of violation of a no contact order; case 676207 from November 15, 2022 , for 15
6 counts of violation of no contact order; case 676175 for sixteen counts of violation of no contact
7 order; case 669329 for one count of violation of no contact order, bench warrant \$50,000;
8 656748 non domestic violence criminal trespass four counts from November 2020, warrant in the
9 amount of \$25,000. He was convicted at a jury trial case 656749 of Criminal Trespass 1 and
10 Theft and did not report for sentencing from August of 2022, bench warrant of \$20,000. For
11 domestic violence cases involving the victim 671384, 676175, 676207, 676216, 676463, 676492
12 the defendant has had warrants in an apparent total of \$250,000 since March 2023.

13 Of note, Seattle Police executed a search warrant for the defendant's arrest on July 3,
14 2024, at his home. A six-hour standoff ensued. The defendant hid in the crawl space to avoid
15 arrest. This was not the first time the defendant has had a stand off with law enforcement. He is
16 unlikely to obey any police or court orders and is a high risk to interfere in the administration of
17 justice.

18
19 Signed and dated by me this 8th day of July, 2024.

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21 

22
23 David D. Martin, WSBA #27129
Senior Deputy Prosecuting Attorney

24 Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 2

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Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 3

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Certification for Determination of Probable Cause

That **Ryan Ellis #7612** is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case number **2024-163058 and associated cases**. There is probable cause to believe that **Kurt A BENSHOOF, date of birth 7/18/1967**, committed the crime(s) of **Stalking, RCW 9A.46.110, Felony Violation of a Court Order, RCW 26.50.110, and Attempting to Elude a Pursuing Police Vehicle, RCW, 46.61.02**, within the City of Seattle, County of King, State of Washington. This belief is predicated on the following facts and circumstances.

Historical Investigation

The victim in this investigation, Jessica Owen, is the previous wife to suspect Benshoof. Ownes is the current registered owner of the residence located at 1716 N 128th ST, Seattle, Washington 98133. Owen has had several no-contact and retraining orders against Benshoof in the past, which have routinely been violated by Benshoof. Most recently, Owen obtained a Seattle Municipal No Contact Order, OCA223037 which was served on Benshoof on 11/16/2022 and expires on 11/16/2027. In addition, Owen obtained a Restraining Order, OCA215006806, which was served on 11/15/2022 and expires on 9/28/2027. On 3/14/2023, a warrant for two counts of Stalking, one count of Custodial Interference, and 83 counts of violation of a no-contact order was issued in the amount of \$250,000.00 for Benshoof, Warrant number 990435958. Since that time, law enforcement officials have been unable to arrest Benshoof. See **Exhibit 1**, attached.

Current Investigation

2023-109003

On 4/23/2022, V/Owen requested officers respond to her residence for an order violation. Officers called Owen and obtained the following information. Owen stated that she had been out with AW, DOB: 04/22/2009 and one of her friends celebrating AW, DOB: 04/22/2009's birthday. When they returned home, Owen found a pizza box on her front porch. The pizza was cold, and no logos were on the pizza box. Owens said there was a phone number on the pizza box, and when she called it, it played the "Rick Roll" song. Owens did not order a pizza.

Owens said the pizza had specific toppings on it when she opened it. The toppings were the ones Owen, Benshoof, and AW, DOB: 04/22/2009 would order when they all still lived together. Owen also said the “Rick Roll” song was an inside joke between AW, DOB: 04/22/2009 and Benshoof. Owens believes Benshoof had dropped the pizza off on the front porch for AW, DOB: 04/22/2009’s birthday.

2023-114090

On 4/27/2023, officers were on routine patrol in the area just east of N 128th ST/Aurora Ave N when they observed a distinct vehicle in the distance consistent with a vehicle driven by a warrant suspect Benshoof. The vehicle was a forest green Toyota FJ Cruiser (WA license plate later determined to be: CCW8591). The suspect was known to officers to be Kurt A Benshoof. BENSHOOF had an unverified Seattle Municipal Court Warrant for DV Stalking (WAR/990435958, AOB \$250,000). Officers conducted a records check on Benshoof earlier in the day and verified the warrant was still active.

When initially observing the vehicle, officers recognized that it was a mere few blocks away from Benshoof’s residence and driving in the direction of the residence. officers caught up to the vehicle in the area of N 128th ST/Ashworth Ave N. Officers conducted a records check and verified the vehicle was the same vehicle known to be driven by Benshoof. Additionally, while looking at the reflection of the side view mirror, officers observed a male driver who matched the description of Benshoof. Officers have viewed his mugshot on several previous occasions and recognized the reflection to be consistent with Benshoof’s mugshot. This, in conjunction with officers’ knowledge of Benshoof living only blocks away and driving a car that was almost always parked at his house, officers determined probable cause existed that Benshoof was the driver of the vehicle.

Officers grew concerned Benshoof may return home to 1716 N 128 St which was at a tactically unsafe location down a long, narrow, and somewhat elevated driveway. Officers therefore activated my emergency lights in an attempt to get Benshoof to pull over at 128th/Densmore. Instead, he continued driving eastbound past his residence.

Officers then activated the continuous siren while the emergency lights were still activated. Officers observed several pedestrians who appeared surprised at the sight of the vehicle not stopping for a police car despite emergency lights and siren.

Officers observed Benshoof utilize a turn signal to travel northbound on Meridian Ave N at N 128th ST. Up until that moment, he was driving the regular flow of traffic, not increasing speed, and not taking evasive action. After making the turn, Benshoof accelerated. The traffic signal at 130th/Meridian turned to red and Benshoof accelerated through the red signal while the emergency equipment was still activated.

At that point, officers determined Benshoof was taking evasive action, increasing speed, and his normal driving turned reckless. As such, in accordance with SPD policy, officers deactivated my emergency equipment and returned to a normal driving pattern.

Surprisingly, Benshoof also returned to a normal driving pattern. He stopped at a stop sign, used his turn signal, and did not drive outside the normal pattern of traffic. Officers continued following him until he turned eastbound on NE 145th St and then turned onto the on-ramp to NB I-5 from 145th. At that point, officers discontinued following Benshoof.

2023-246823

On 8/23/2023, officers while on routine patrol observed Benshoof driving the same green Toyota FJ Cruiser. Officers conducted a records check on Benshoof and discovered he still had the outstanding arrest warrant. Officers turned the patrol vehicle around and pulled along the passenger side of the suspect vehicle. Both officers recognized the driver of the suspect vehicle by sight as Kurt Benshoof. Benshoof turned eastbound onto N 130 St from Aurora Av N. Near the intersection of Stone Av N and N 130 St, Officers activated the patrol vehicle's emergency lights and chirped the patrol vehicle's emergency sirens ordering Benshoof to pull over. Benshoof failed to obey the lawful commands and continued driving northbound. Benshoof turned northbound on Corliss Av N from N 130 St. The patrol vehicle's

emergency lights and emergency sirens were still activated. Benshoof continued driving northbound following all normal traffic patterns with normal driving behavior. Benshoof stopped at red lights, yielded at intersections, and drove at normal speeds. While driving northbound through the residential area, officers gave commands to Benshoof over the patrol vehicle's PA system (the emergency siren was not activated at this point). Officers identified themselves as a Seattle Police Officer, advised Benshoof he was under arrest, and ordered him to pull over. Benshoof did not.

At the intersection of Corliss Av N and N 145 St, Benshoof turned eastbound on N 145 St. At this point, Officers deactivated the vehicle's emergency equipment. At the intersection of N 145 St and 1 Av Ne, Benshoof came to a red light. Benshoof was the first vehicle in line. Officers reactivated the patrol vehicle's emergency lights. Officers exited the patrol vehicle and conducted a high risk stop of Benshoof. Benshoof again failed to obey commands of officers. Instead of exiting the vehicle, Benshoof inched his vehicle forward, then drove east through the red light against the red light.

Based on Benshoof failing to pull over while given lawful commands and driving through the red light, officers determined his driving to be outside normal traffic patterns and behavior. Officers established probable cause to arrest Benshoof for the Investigation of Eluding.

Benshoof crossed over Interstate-5 driving eastbound, then made a northbound turn onto 5 Av NE from N 145 St. Benshoof entered onto Interstate-5 northbound. Officers followed Benshoof from one vehicle behind while he drove in Lane 2 (fast lane) of Interstate-5 northbound. Benshoof drove with normal traffic patterns and driving behaviors while following the speed limit. Officers did not reactivate our patrol vehicle's emergency equipment.

Officers requested the assistance of King County's Guardian 1 helicopter, Snohomish County's helicopter, Washington State Patrol's helicopter, and any agency with Star Chase. No additional resources were available. Further, Officer Ladd called Benshoof to convince him to pull over. Benshoof did not pick up. With no viable way to safely take Benshoof into custody, Officers disengaged from following Benshoof in South Everett at the Everett Mall Wy exit.

2023-295825

On 10/12/2023 at 1210 hours, officer Ladd, while on duty, received a phone call from Benshoof, to his department cell phone. Benshoof was using phone number 206-460-4202 and he stated that he had checked school records in Seattle and Highline for his son, but they told him he was not enrolled. He then requested that Officer Ladd conduct a welfare check on his son stating he was concerned for him.

Officer Ladd reminded Benshoof that he was the respondent in an active protection order in which his son was named and that he was also the subject of a criminal investigation. Officer Ladd advised Benshoof that if he sincerely believed his son was in physical danger, he could utilize emergency dispatch like anyone else, but Officer Ladd believed it was inappropriate to reach out to him directly to contact protected persons in the order on his behalf. Benshoof became enraged and hung up the phone.

A short time later Officer Ladd received an email from Benshoof and CC'ing General Investigations, and Chief Adrian Diaz, stating the criminal allegations were untrue and alleging that Owen had lied. These actions demonstrate Benshoof's attempts to continue to harass the victims in this case as well as attempt to use others to do so, even as far as law enforcement. It is not uncommon for respondents in a protection order to falsify welfare checks to obtain some sort of connection with the victims.

2024-040318

On 2/12/24 officers responded to a prowler outside 839 NE 130th Street. Officers arrived and spoke to victim Magalie Lerman. Lerman said, a W/M60's wearing a blue jacket looked into her front window and knocked on the door. Lerman believed the person was Daniel Heller, an associate of Kurt Benshoof. She explained that her partner, Jessica Owen, has a court order against Benshoof. Lerman said that Benshoof continues to send people to the house to intimidate and harass them.

Lerman said that Benshoof has been calling and leaving bizarre and sometimes threatening messages on her phone. Lerman said Benshoof calls her ten times a day from an unknown

number but identifies himself on the voicemail. Benshoof has left messages accusing her of kidnap and auto theft. The messages sometimes refer to the domestic terrorist Timothy McVeigh. Benshoof left a message threatening to “demolish” Lerman. Lerman continues to be harassed by Benshoof on a daily basis. Although Lerman does not have a court order against Benshoof, this continued harassment and threats of violence has placed Lerman in a state of fear for her safety. Since that time, Lerman has moved out of the County. Lerman does return to Seattle to visit her partner Owen from time to time. Lerman continues her romantic relationship with Owen to date.

2024-079368

On 3/23/24, V/Owen filed another court order violation report. Officers spoke to Owen over the phone who stated that her ex-husband who she verbally identified as Benshoof has been calling and texting her phone which is a violation of the no contact order that she has against Benshoof. Benshoof did not make any threats in the messages but was rambling about an ongoing litigation between the two and telling her that he was right about the Covid-19 pandemic. Owen stated that the suspect/Benshoof lives in their previous home at 1716 N 130 ST and drives an army green FJ Crouser with a rack on the top. Owen advised that Benshoof is home most of the time but has cameras and will not answer the door when police try to contact him.

Based on the communications from Benshoof to Owen's Officers determined that probable cause existed for the violation of the No Contact Order. Due to staffing, officers were unable to attempt to arrest Benshoof.

2024-152490

On June 5, 2024, Victim Owen filed another police report, documenting the multiple violations of the protection orders by Benshoof. Owen reported Benshoof has been violating the order by sending her text messages and emails daily. He sends over 40 messages per day. He has been wishing her a slow and painful death. He called her a "lying cunt." He messages her tangents about Covid and voter fraud by the Democratic party. He criticizes Owen for taking his son from him and giving him a Covid shot. Owen had recently moved out of state to get away from Benshoof but has returned to her residence in Seattle. She is concerned that things may escalate if he finds out she lives in the area again.

2024-156684

On June 9, 2024, Victim Owen filed another police report, documenting the multiple protection order violations by Benshoof. Owen stated that since her last report on 6/05/2024, Benshoof has been texting her, calling her, and emailing her nonstop despite there being an order in place.

When asked about the nature of the text messages, Owen stated that Benshoof has messaged about several different topics. Some of his messages tell her that she "is toast" and that he is coming for his son. Others tell her that "shit is going to hit the fan" and asks her what side of the fan she wants to be on. Other messages talk about random topics about Jesus and other non-relevant topics.

When asked about the content of his emails, Owen stated that they mainly concern lawsuits and other legal proceedings. Owen went on to explain that the court system has marked Benshoof as a "vexatious litigant." Benshoof has apparently tried to sue too many people too many times over nothing lawsuits and now the court system has flagged him as an abuser of the legal system. However, despite the court fining him for his overuse of the system, Benshoof continues to email her lawsuits. Some of these lawsuits' she is named in and others she was simply forwarded the information.

Owen also informed officers that this week she received a manila envelope in the mail, from Benshoof, containing more court paperwork. Owen showed officers the paperwork and the envelope. She informed the officers that she knew it was from Benshoof himself because she recognized his handwriting, and he would be the only one to write hearts next to her name as a way of mocking her. He also listed his current address as the return address on the envelope. The actual paperwork itself was more than a couple hundred pages so neither officer nor did Owen read through that. The front of the paperwork reads that it was a Petition for Writ of Habeas Corpus in which Benshoof is the petitioner and Owen is the respondent.

Officers photographed the envelope and the front page of paperwork.

Owen stated that she did not believe that Benshoof knew she was at the residence currently and did not think he would show up in the near future. She has been staying elsewhere that Benshoof

does not know the address of. Her main concern is that Benshoof continues to harass her despite the order in place. He has made it very clear that he does not care about the orders in place, the fact that she has been granted full custody of their child, and that he has been ordered by the courts not to file any more lawsuits. Owen is fearful of Benshoof and scared of his blatant disregard for all of his court orders and the consequences.

2024-163058

On June 15, 2024, Victim Owen filed another police report, outlining the continued protection order violations. Owen stated that since her last report on 06/05/2024, Benshoof has been texting her, calling her, and emailing her nonstop despite there being an order in place. She confirmed Benshoof uses a phone number (206) 460-4202) and email address (kurtbenshoof@gmail.com) associated with his name as well as states it is Benshoof that is contacting her.

In the recent communication, Benshoof has made statements like, "Justice is coming", "Wake the fuck up" and "Where is my son you cunt."

Benshoof also sends Owen lengthy emails regarding lawsuits he is pursuing despite being marked as a "vexatious litigant" by the court.

Owen stated Benshoof contacts her numerous times a day everyday despite the protective Orders in place both clearly showing Owen as the protected party and Benshoof as the respondent. Both orders state Benshoof is restrained from making any contact or communication with Owen.

Owen stated she avoids being at home and sometimes stays out of town in an attempt to keep herself and her son safe. She went on to say she will continue to file police reports documenting the violations and feels Benshoof has reached stalking levels of behavior.

On June 26, 2024, I spoke to Victim Owen. She informed me that she would be filing another police report outlining the continued violations since June 15, 2024. Owen told me, it's non-stop, every single day. Owen also told me the Courts awarded Owen ownership of the residence located at 1716 N 128th ST, thus removing Benshoof. Owen said Benshoof never leaves the

residence and she's too afraid to confront him about the residence. In addition, during their last hearing in Superior Court related to the ownership of the residence, Benshoof filed an appeal in Superior Court, which was denied. During a protection order hearing on February 28, 2024, Ownes told me she observed Benshoof via ZOOM within the residence located at 1716 N 128th ST, Seattle, Washington.

2024-180984

On 7/2/24, Owen filed another police report documenting the continued harassment and protection order violations. Officers called Owen over the phone; she stated that a phone report was fine. Owen stated that this is an ongoing issue, and she wishes to document the new string of unwanted text messages she has received from the Benshoof. She stated that she counted about 200 different text messages, calls and emails that she received from the suspect since the last report she called about on 6/15/2024. This last batch of text messages were less aggressive in nature unlike his previous messages. She is not sure why the tone of the texts has changed or shifted. She stated that the suspect was texting her about political theories, and questions about their shared son. All messages, calls and emails were sent from the suspect's phone number and email address. She stated that Benshoof has had this phone number and email for years now. There is no mistaking that the suspect is the one sending her these messages. Phone number (206) 460-4202) and email address kurtbenshoof@gmail.com.

On 6/27/24, Detectives applied and received authorization for Search Warrant for Benshoof and his residence located at 1716 N 128th ST, Seattle, Washington, #24-0-62121-3. In addition, Detectives received a Search Warrant for Ping Data and historical toll information for cellular telephone 206-460-4202, the cell phone used by Benshoof to violate the court order as described above, #24-2-12087, 24-252 on 6/28/24. Since that time, Detectives have monitored Benshoof's cell phone location.

On 7/3/24, Detectives and Swat officers executed the search warrant for Benshoof and his residence at approximately 0600 hours. After a six-hour stand-off, Benshoof was found hiding deep in a crawl space of the residence. Swat officers had to enter the residence to remove him, and he was taken into custody and later booked into the King County Jail for the above listed

misdemeanor warrant. Officers believe Benshoof immediately went into the crawl space to hide once the first announcement was made by Swat.

Detectives searched the residence, located and seized as evidence the cell phone ending in 4202, an Apple laptop, and a Dell desktop computer. All three items were logged into evidence. It should be noted to the Court that while searching the residence, Detectives uncovered a highly sophisticated indoor marijuana grow operation in the basement. Although the grow operation was not active, Detectives described the grow operation as “ready to go”. Detectives noted several expensive air ventilation pumps, indoor lighting commonly used for marijuana grows, a “dry room”, numerous electrical panels, and numerous bamboo sticks for growing juvenile plants into adult plants. It was very clear that Benshoof had just finished with a previous grow, and/or was setting up for his next go-around. I estimated the grow room to hold approximately 150 plus plants. The search warrant location was photographed and uploaded to evidence.com under case number 2024-163058.

It should be noted to the Court, as referenced in **Exhibit 1**, Benshoof has a history of non-compliance with Court Orders and law enforcement officials. As noted in the January 23, 2023, incident, Benshoof convinced his son to leave Owen’s residence and come to his house, which was a direct violation of the protection orders. Subsequently, officers responded and were able to obtain short-term custody of the child and return him to Owen from Benshoof’s residence. In addition, based on the protection order violations, officers spoke with Benshoof and attempted to arrest him at the residence. Benshoof, however, barricaded himself within the residence, refusing to exit. Through the use of a negotiator, officers attempted to gain compliance from Benshoof and resolve the incident peacefully. Benshoof refused to cooperate, maintaining his barricaded status and officers were ordered to leave the scene. On March 14, 2023, the City of Seattle Municipal Court issued an arrest warrant for Benshoof in the amount of \$250,000.00, outlining two counts of Stalking, one count of Custodial Interference and 83 counts of Violation of a Court Order. On two separate occasions, Benshoof eluded officers who were trying to affect the warrant arrest. Again, on 7/3/24, Benshoof refused to comply with the officers and barricaded himself yet again to avoid his arrest and avoid detection of his grow operation. Despite efforts to arrest Benshoof, and his knowledge of the ongoing investigation, Benshoof continues to violate the protective orders on a daily basis, despising the victim and the conditions

of the Court. During the past year, Benshoof has violated the order approximately 1000 plus times, and will continue to do so.

Based on the foregoing information there is probable cause to believe that **Kurt A BENSHOOF** committed the crimes of **Stalking, RCW 9A.46.110, Felony Violation of a Court Order, RCW 26.50.110, Attempt to Elude a Pursuing Police Vehicle, RCW 46.61.024, and Felony Harassment, RCW 9A.46.020.**

This document was submitted to the Prosecutor through the Prosecutor by Karpel External View Portal system under GR 30 and LGR 30.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this **7th** day of **July 2024**, at Seattle, Washington.

Ryan Ellis

AGENCY: Seattle Police Department	CASE NUMBER 2024-163058	FILE NUMBER	PCR NUMBER	SUPERFORM
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ARREST INFORMATION		
DATE & TIME OF VIOLATION 7/3/2024	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	ACCOMPLICES
DATE OF ARREST/TIME 7/3/2024	ARREST LOCATION 1716 N 128TH ST SEATTLE, WA 98133	

SUSPECT INFORMATION		
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) BENSHOOF, KURT ALDEN		DOB 7/18/1969
ALIASES, NICKNAMES KURT ALDEN BENSHOOF, KURT ALDEN BENSHOOF, KURT ALDEN BENSHOOF, KURT ALDEN BENSHOOF		
ARMED/DANGEROUS <input type="checkbox"/> YES <input type="checkbox"/> NO	IDENTITY IN DOUBT? <input type="checkbox"/> YES <input type="checkbox"/> NO	CITIZENSHIP
PHYSICAL DETAILS		
SEX M	HEIGHT 6'00	WEIGHT 175
SKIN TONE	RACE W	EYE BLU
HAIR BRO	SCARS, MARKS, TATTOOS, DEFORMITIES	
IDENTIFICATION DETAILS		
UCN 10518097	PRIOR BA #	AFIS #
FBI #	STATE ID # WA24032615	DRIVERS LICENSE # WDL531N3J43B
STATE	SSN	
RESIDENCE LAST KNOWN ADDRESS 1716 N 128TH ST SEATTLE, WA 98133		EMPLOYMENT / SCHOOL EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)
RESIDENCE PHONE (206) 460-4202		BUSINESS PHONE (206) 941-4660
OCCUPATION		
EMERGENCY CONTACT		
PERSON TO BE CONTACTED IN CASE OF EMERGENCY		RELATIONSHIP
ADDRESS		PHONE

CHARGE INFORMATION			
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE Stalking - Felony	RCW / ORD#	COURT / CAUSE #	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHER				
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE
ORIGINATING POLICY AGENCY	ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)		

PROPERTY INFORMATION		
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)		
LIST ITEMS ENTERED INTO SAFEKEEPING		
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT: \$0.00	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Ellis, Ryan G 7612	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME / SERIAL # / PHONE)

COURT FILE		
SUPERIOR COURT FILING INFO	<input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	COURT CAUSE (STAMP OR WRITE)
COURT/DIST. CT.NO.	DIST. CT. BOND\$	SUP. CT. DATE

EXTRADITE				
PERSON APPROVING EXTRADITION		SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>
NCIC-WILL EXTRADITE FROM ALL 50 STATES <input type="checkbox"/>				
E N T R Y	UCN 10518097	DOE	DOC	
	WAC	TOE	TOC	
	NCIC	OP	OP	